INTRODUCTION

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15123, this section summarizes the proposed project, significant impacts, and proposed mitigation measures. The summary is organized around the following topics:

- Purpose of the Environmental Impact Report
- Project Synopsis
- Issues Raised During Scoping
- Summary of Project Alternatives

PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This Environmental Impact Report (EIR) has been prepared for the City of Encinitas (City), acting as the lead agency under CEQA Guidelines Sections 15050 and 15367, to analyze the potential environmental effects associated with implementation of the Fox Point Farms project (collectively known as the project or the proposed project).

An EIR is a public informational document used in the planning and decision-making process. The purpose of the EIR is to demonstrate that the City has made a good faith effort at disclosing the potential for the project to result in significant impacts to the physical environment. As such, the EIR does not consider potential fiscal impacts, cost-benefit assessment, or social impacts. Nor does the EIR present recommendations to the decision-making bodies for approval or denial of the project based on the environmental findings. Rather, the EIR is intended to provide additional information about the project when, if, and at which time it is reviewed and considered by the City in its discretionary decision-making for the Fox Point Farms project.

The City of Encinitas Planning Commission will consider the information in the EIR, public and agency comments on the EIR, and testimony at public hearings in their decision-making process. The public review comments will be incorporated and addressed in the Final EIR. As a legislative action, the final decision to approve, conditionally approve, or deny the proposed project is made by the City's Planning Commission. The purpose of an EIR is to identify:

- Significant impacts of the proposed project on the environment and indicate the manner in which those significant impacts can be avoided or mitigated.
- Any unavoidable adverse impacts that cannot be mitigated.

- Reasonable and feasible alternatives to the proposed project that would eliminate any significant adverse environmental impacts or reduce the impacts to a less than significant level.

An EIR also discloses cumulative impacts, growth-inducing impacts, and impacts found not to be significant. CEQA requires that an EIR reflect the independent judgment of the lead agency regarding the impacts, disclose the level of significance of the impacts both without and with mitigation, and discuss the mitigation measures proposed to reduce the impacts.

The EIR is circulated to the public and other agencies that may have jurisdiction over affected lands or resources, such as the San Diego Regional Water Quality Control Board (RWQCB). The purposes of public and agency review of an EIR include sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.

This EIR is being distributed to agencies, organizations, and interested groups and persons for a 45-day review period in accordance with CEQA Guidelines Section 15087. The City will consider and respond to all written comments received during the review period prior to any action being taken on the project.

PROJECT SYNOPSIS

The Fox Point Farms Project (proposed project) proposes the development of a 250-unit residential "agrihood"[1] community on a 21.48-acre site located at 1150 Quail Gardens Drive in the City of Encinitas (refer to Figure 2.0-1, Regional Location Map and Figure 2.0-2, Project Vicinity Map). The project proposes 210 market-rate units and 40 very low income units (affordable to households earning no more than 50 percent of area median income). Units would range from two to three stories in height and would comply with the development requirements of the City's Housing Element Update, as adopted in 2019, including restrictions on maximum average unit size (1,000 square feet average for apartments, 1,150 square feet average for cottages/carriage units/townhomes).

The property would be subdivided into four lots. Lot 1 would consist of 197 apartments, edible landscaping, community gardens, trails, a bocce court, social spaces, an informal outdoor community library, and a community recreation center. Lot 2 would consist of a shared public/private agricultural amenity area including a farm-to-table restaurant (with alcohol sales as an accessory use), farm stand, event lawns, discovery garden, outdoor dining areas, greenhouse and community event space, and an outdoor education patio. Lot 3 would consist of

[1] The Urban Land Institute defines an agrihood as a single-family, multifamily, or mixed-use community built with a working farm as a focus.

an organic farm operation, including farm operation buildings, an orchard, and a chicken coop. Lot 4 would consist of 53 for-sale cottages/carriage units/townhomes.

ISSUES RAISED DURING SCOPING

In accordance with CEQA Guidelines Section 15082, the City prepared and distributed a Notice of Preparation (NOP) of Environmental Impact Report for the proposed project that was circulated for public review on March 27, 2020. The NOP comment period is intended to notify responsible agencies, trustee agencies, and the public that the City, acting as the lead agency, would be preparing an EIR for the project. The City determined the scope of the analysis for this EIR as a result of initial project review and consideration of agency and public comments received in response to the NOP. For more information regarding the NOP process, refer to Section 1.0. The NOP and the NOP comments are included as Appendix A-1 to this EIR.

A Citizen Participation Program (CPP) public meeting was held for the proposed project on February 27, 2020 from 6:00 p.m. to 9:00 p.m. at Encinitas City Hall (Council Chambers). All property owners and occupants within a 500-foot radius of the project site were mailed a copy of the neighborhood letter and the vicinity map. Approximately 80-90 individuals attended the CPP public meeting. A full summary of the issues raised at the CPP meeting is included in Appendix A-2.

Key areas of environmental concern, as conveyed during the NOP and CPP processes, include, but are not limited to:

- Traffic congestion caused by the project's secondary access on Sidonia Street
- General traffic concerns resulting from the 250 residential units
- Density of the project
- Overflow parking onto Sidonia Street and surrounding roadways
- Existing flooding issues during storm events
- Noise from outdoor events at the restaurant and use of the amenities
- Visual incompatibility with the existing neighborhood due to project design and building heights
- Sensitivity of the adjacent Magdalena Ecke Open Space Preserve

SUMMARY OF SIGNIFICANT EFFECTS

Based on the analysis within this EIR, transportation impacts related to vehicles-miles-traveled (VMT) cannot be mitigated to less than significant levels. Therefore, transportation impacts are significant and unavoidable.

ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

An EIR is an informational document intended to inform decision-makers and the public of the significant effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the proposed project. As the lead agency, the City of Encinitas must respond to each significant effect identified in this EIR by making "findings" for each significant effect. As part of the decision-making process, the City must determine whether or how to mitigate the associated significant effects of the project, including whether to implement a project alternative. Approval of the project despite identified significant and unavoidable environmental impacts would require a Statement of Overriding Considerations, explaining why the benefits of the project outweigh the environmental effects, as set forth in this document.

Additionally, the decision-making body will need to consider whether to approve or deny the Sidonia Secondary Access Option which would retain full secondary access to Sidonia Street, rather than it being a gated, emergency-only access point. Both design options are evaluated in the EIR.

SUMMARY TABLE

Table ES-1, Environmental Impact Summary, identifies the areas of environmental impact the project will generate, and when feasible, mitigation measures to reduce those potential impacts.

Table ES-1:
Environmental Impact Summary

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Aesthetics			
3.1-1 Would the project have a substantial adverse effect on a scenic vista?	Less than significant	None required	Less than significant
3.1-2 Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than significant	None required	Less than significant
3.1-3 Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant	None required	Less than significant
3.1-4 Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant	None required	Less than significant
3.1-5 Would the project result in cumulative aesthetic impacts?	Less than cumulatively considerable	None required	Less than cumulatively considerable
Air Quality			
3.2-1 Would the project violate air quality standards or contribute substantially to an existing or projected air quality violation during project construction?	Less than significant	None required	Less than significant
3.2-2 Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less than significant	None required	Less than significant
3.2-3 Would the project expose sensitive receptors to substantial pollutant concentrations?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.2-4 Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than significant	None required	Less than significant
3.2-5 Would the project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?	Less than cumulatively considerable	None required	Less than cumulatively considerable
Biological Resources			
3.3-1 Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Potentially significant	**BIO-1** **Pre-Construction General Nesting Bird Surveys and Protocols.** If clearing, grubbing, or other construction activities (for example, but not limited to, staging, site preparation, grading) occurs within the nesting season (January 15 to August 31), the following measures shall be implemented to address potential construction-period impacts to migratory birds and raptors: • Prior to the start of vegetation removal and/or construction activities within 300 feet of the Magdalena Ecke Open Space Preserve, a qualified biologist shall perform focused surveys within 72 hours prior to the commencement of construction activities. The survey areas shall include the construction area plus a 300-foot buffer. Survey findings shall be submitted to the City for review and approval prior to the initiation of any construction activities. • If active nests are found during the nesting bird survey, appropriately sized no-work buffers (generally 50 to 300 feet depending on species sensitivity) shall be established around the active nests identified within and adjacent to the project site. The qualified biologist, in consultation with the City, shall determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal or state Endangered Species Act based on the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual	Less than significant with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated project activities, ambient noise levels compared to project-related noise levels, existing non-project-related disturbances in vicinity, and ambient levels of human activity. Buffers shall be marked (flagged or fenced with Environmentally Sensitive Area fencing) around any active nests and periodic monitoring by the qualified biologist shall occur to ensure the project does not result in the failure of the nest. The buffer(s) shall be maintained around each nest until the nest becomes inactive as determined by the qualified biologist. At the discretion of the qualified biologist, if a nesting bird appears to be stressed as a result of project activities and the buffer does not appear to provide adequate protection, additional minimization measures shall be implemented. Buffer sizes may be adjusted (either increased or reduced), or the extent of nest monitoring may be adjusted, at the discretion of the qualified biologist based on the conditions of the surrounding area and/or the behavior of the nesting bird. Any changes to buffer sizes and/or nest monitoring frequency shall be documented. • If active nests are found and delineated by the buffers, construction activities may continue outside of the biological buffers. • The qualified biologist shall have the following responsibilities: ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is properly maintained during nest monitoring and any additional site visits. **BIO-2** **Pre-Construction Coastal California Gnatcatcher Surveys and Protocols.** If clearing, grubbing, or other construction activities occur within the California gnatcatcher nesting season (February 15 to August 31), the following measures shall be implemented to address potential construction-period impacts to the coastal California gnatcatcher that may occupy native habitats adjacent to the construction area in the Magdalena Ecke Open Space Preserve:	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		• Prior to the initiation of construction activities within 300 feet of habitat that could support gnatcatchers, a biologist with necessary permits to conduct California gnatcatcher surveys shall perform a minimum of three focused surveys, on separate days, to determine the presence of active gnatcatcher nests within a minimum of 300 feet of project construction activity proposed during the gnatcatcher breeding season. The biologist shall conduct two surveys a maximum of seven days prior to vegetation disturbance or project construction and one survey the day immediately prior to the initiation of work. Survey findings shall be submitted to the City for review and approval prior to the initiation of any construction activities. • If a gnatcatcher nest is found in or within 300 feet of initial vegetation disturbance or project construction, additional coordination with the United States Fish and Wildlife Services shall occur prior to construction and within 48 hours of the discovery to determine what additional measures would need to be implemented, if any, to avoid "take" of the species. Similar protocols for other federal or state listed bird species may need to be implemented, based on finding of the biological surveys.	
3.3-2 Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Less than significant	None required	Less than significant
3.3-3 Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.3-4 Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially significant	Implement mitigation measures **BIO-1** and **BIO-2**	Less than significant with mitigation incorporated
3.3-5 Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant	None required	Less than significant
3.3-6 Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	Less than significant	None required	Less than significant
3.3-7 Would the project result in cumulative impacts related to biological resources?	Potentially significant	Implement mitigation measures **BIO-1** and **BIO-2**	Less than cumulatively considerable with mitigation incorporated
Cultural Resources			
3.4-1 Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	Potentially significant	**CR-1** **Cultural Resources Monitoring Program.** A Cultural Resource Mitigation Monitoring Program shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a qualified archaeologist and a traditionally and culturally affiliated (TCA) Native American monitor (San Luis Rey Band of Mission Indians) shall be retained to monitor all ground-disturbing activities associated with project construction, including vegetation removal, clearing, grading, trenching, excavation, or other activities that	Less than significant with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		may disturb original (pre-project) ground, including the placement of imported fill materials and related roadway improvements (i.e., for access). • The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. • The qualified archaeologist and TCA Native American monitor shall attend all applicable pre-construction meetings with the Contractor and/or associated Subcontractors. • The qualified archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing or altering activities, as identified above. • The qualified archaeologist and/or TCA Native American monitor may halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the qualified archaeologist and the TCA Native American monitor, in consultation with the San Luis Rey Band of Mission Indians ("San Luis Rey Band"). Ground disturbing activities shall not resume until the qualified archaeologist, in consultation with the TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the qualified archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. • The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible a Data Recovery Plan may be authorized by the City as the lead agency under CEQA. If a data recovery is	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		required, then the San Luis Rey Band shall be notified and consulted in drafting and finalizing any such recovery plan. • The qualified archaeologist and/or TCA Native American monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed. • The landowner shall relinquish ownership of all tribal cultural resources collected during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the San Luis Rey Band for respectful and dignified treatment and disposition, including reburial, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. **CR-2** **Prepare Monitoring Report and/or Evaluation Report.** Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the cultural resource mitigation monitoring efforts (such as, but not limited to, the Research Design and Data Recovery Program) shall be submitted by the qualified archaeologist, along with the TCA Native American monitor's notes and comments, to the City's Development Services Director for approval. **CR-3** **Identification of Human Remains.** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		determined by the qualified archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the qualified archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by state law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept in situ ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American monitor.	
3.4-2 Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	Potentially significant	Implement mitigation measures **CR-1** and **CR-2**	Less than significant with mitigation incorporated
3.4-3 Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially significant	Implementation mitigation measure **CR-3**	Less than significant with mitigation incorporated
3.4-4 Would the project result in cumulative impacts related to historical and archaeological resources?	Potentially significant	Implement mitigation measures **CR-1** to **CR-3**	Less than cumulatively considerable with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Energy Conservation and Climate Change			
3.5-1 Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than significant	None required	Less than significant
3.5-2 Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant	None required	Less than significant
3.5-3 Would the project generate greenhouse gas emissions that when combined with other related cumulative projects, could have a significant impact on global climate change?	Less than significant	None required	Less than significant
3.5-4 Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant	None required	Less than significant
3.5-5 Would the project conflict or obstruct a state or local plan for renewable energy or energy efficiency?	Less than significant	None required	Less than significant
3.5-6 Would the project would in cumulative impacts related to energy conservation and climate change?	Less than significant	None required	Less than cumulatively considerable

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Geology and Soils			
3.6-1 Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map?	Less than significant	None required	Less than significant
3.6-2 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	Less than significant	None required	Less than significant
3.6-3 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?	Less than significant	None required	Less than significant
3.6-4 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	Less than significant	None required	Less than significant
3.6-5 Would the project result in substantial soil erosion or the loss of topsoil?	Less than significant	None required	Less than significant
3.6-6 Would the project site be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Less than significant	None required	Less than significant
3.6-7 Would the project be located on expansive soil, creating substantial risks to life or property?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.6-8 Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than significant	None required	Less than significant
3.6-9 Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially significant	**GEO-1** **Paleontological Data Recovery and Monitoring Plan:** A Data Recovery and Monitoring Plan shall be prepared to the satisfaction of the City. The plan shall document paleontological recovery methods. 1. Prior to grading permit issuance, the project applicant shall implement a paleontological monitoring and recovery program consisting of the following measures, which shall be included on project grading plans to the satisfaction of the Development Services Department: a. The project applicant shall retain the services of a qualified paleontologist to conduct a paleontological monitoring and recovery program. A qualified paleontologist is defined as an individual having an MS or PhD degree in paleontology or geology, and who is a recognized expert in the identification of fossil materials and the application of paleontological recovery procedures and techniques. As part of the monitoring program, a paleontological monitor may work under the direction of a qualified paleontologist. A paleontological monitor is defined as an individual having experience in the collection and salvage of fossil materials. b. The qualified paleontologist shall attend the project preconstruction meeting to consult with the grading and excavation contractors concerning the grading plan and paleontological field techniques. c. The qualified paleontologist or paleontological monitor shall be on-site on a full-time basis during the original cutting of previously undisturbed portions of the underlying very old paralic deposits. If the qualified paleontologist or paleontological monitor ascertains that the noted formations are not fossil-bearing, the qualified	Less than significant with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		paleontologist shall have the authority to terminate the monitoring program. d. If fossils are discovered, recovery shall be conducted by the qualified paleontologist or paleontological monitor. In most cases, fossil salvage can be completed in a short period of time, although some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. e. If subsurface bones or other potential fossils are found anywhere within the project site by construction personnel in the absence of a qualified paleontologist or paleontological monitor, the qualified paleontologist shall be notified immediately to assess their significance and make further recommendations. f. Fossil remains collected during monitoring and salvage shall be cleaned, sorted, and catalogued. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Prior to building permit issuance, a final summary report outlining the results of the mitigation program shall be prepared by the qualified paleontologist and submitted to the Development Services Department for concurrence. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils, as well as appropriate maps.	
3.6-10 Would the project result in cumulative impacts related to geology and soils?	Potentially significant	Implement mitigation measure **GEO-1**	Less than cumulatively considerable with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Hazards and Hazardous Materials			
3.7-1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or would it create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant	None required	Less than significant
3.7-2 Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially significant	**HAZ-1** Prior to grading permit issuance, the project applicant shall demonstrate that a qualified consultant has been retained to ensure implementation of the project's Soil Management Plan (Geotek, Inc., 6/2/20). The project applicant shall be responsible for ensuring all provisions of the Soil Management Plan are implemented to the satisfaction of the San Diego County Department of Environmental Health (DEH). The remediation measures contained in the Soil Management Plan shall be included in the project's grading plans to the satisfaction of the Development Services Department. **HAZ-2** Prior to building permit issuance, the project applicant shall prepare and submit a remediation closure report and closure request to the San Diego County DEH Voluntary Assistance Program and Encinitas Development Services Department for review and approval. The closure report shall be prepared by a qualified consultant and document compliance with the Soil Management Plan and any deviations from the plan. In addition, the report shall provide a discussion of remedial activities, site observations, soil analytical results, and volume of waste material disposed. **HAZ-3** Prior to building permit issuance, the project applicant shall submit a "Closure Letter" issued by the San Diego County DEH to the Encinitas Development Services Department.	Less than significant with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		HAZ-4 Prior to demolition permit issuance, an asbestos and lead material survey shall be conducted by a qualified consultant to determine if the existing structures on-site contain lead-based paint and/or asbestos-related construction materials. If substances containing lead and/or asbestos are found on-site, an abatement work plan shall be prepared by the consultant for the proper removal and disposal of the materials in accordance with federal, state, and local laws and regulations. The asbestos and lead survey results and any necessary work plan shall be reviewed and approved by the City of Encinitas Development Services Department (Planning Division). **HAZ-5** If on-site abatement of asbestos and/or lead materials is required, a licensed abatement contractor shall implement the approved abatement work plan prior to demolition of affected structures. **HAZ-6** Prior to building permit issuance, an abatement close-out report shall be prepared by the abatement contractor and submitted by the project applicant to the Development Services Department for review and approval.	
3.7-3 Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant	None required	Less than significant
3.7-4 Would the project result in a safety hazard for people residing or working in the project area and located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, or would it result in a safety hazard or excessive noise for people residing or working in the project area in the vicinity of a private airstrip?	No impact	None required	No impact

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.7-5 Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	Less than significant	None required	Less than significant
3.7-6 Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires?	Less than significant	None required	Less than significant
3.7-7 Would the project result in cumulative impact related to hazards and hazardous materials?	Potentially significant	Implement mitigation measures **HAZ-1** and **HAZ-2**	Less than cumulatively considerable with mitigation incorporated
Hydrology and Water Quality			
3.8-1 Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less than significant	None required	Less than significant
3.8-2 Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant	None required	Less than significant
3.8-3 Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.8-4 Would the substantially increase the rate or amount of surface runoff in a manner which would result flooding on- or 0ff-site?	Less than significant	None required	Less than significant
3.8-5 Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant	None required	Less than significant
3.8-6 Would the implementation of the project risk the release of pollutants due to project inundation from a flood, tsunami, or seiche zones?	Less than significant	None required	Less than significant
3.8-7 Would the project conflict with or obstruct implementation of a water quality control pan or sustainable groundwater management plan?	No impact	None required	No impact
3.8-9 Would the project create cumulative hydrology and water quality impacts?	Less than significant	None required	Less than cumulatively considerable
Land Use and Planning			
3.9-1 Would the project physically divide an established community?	Less than significant	None required	Less than significant
3.9-2 Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant	None required	Less than significant
3.9-3 Would the project result in cumulative land use impacts?	Less than significant	None required	Less than cumulatively considerable

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Noise			
3.10-1 Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant	None required	Less than significant
3.10-2 Would the project generate excessive groundborne vibration or groundborne noise levels?	No impact	None required	No impact
3.10-3 Would the project be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant	None required	Less than significant
3.10-4 Would the project result in cumulative noise impacts?	Less than significant	None required	Less than cumulatively considerable
Public Services and Recreation			
3.10-1 Would the project result in substantial adverse physical impacts to fire protection services due to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.10-2 Would the project result in substantial adverse physical impacts to police protection services due to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts?	Less than significant	None required	Less than significant
3.10-3 Would the project result in substantial adverse physical impacts to schools due to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts?	Less than significant	None required	Less than significant
3.10-4 Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant	None required	Less than significant
3.10-5 Would the project result in substantial adverse physical impacts to other public facilities due to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts?	Less than significant	None required	Less than significant
3.10-6 Would the project result in a cumulatively considerable impact to public services and facilities?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Public Services and Recreation			
3.11-1 Would the project result in substantial adverse physical impacts to fire protection services due to the provision of new or physically altered governmental facilities?	Less than significant	None required	Less than significant
3.11-2 Would the project result in substantial adverse physical impacts to police protection services due to the provision of new or physically altered governmental facilities?	Less than significant	None required	Less than significant
3.11-3 Would the project result in substantial adverse physical impacts to schools due to the provision of new or physically altered governmental facilities?	Less than significant	None required	Less than significant
3.11-4 Would the project increase the use of existing neighborhood and regional parks or other recreational facilities?	Less than significant	None required	Less than significant
3.11-5 Would the project result in substantial adverse physical impacts to other public facilities due to the provision of new or physically altered governmental facilities?	Less than significant	None required	Less than significant
3.11-6 Would the project result in a cumulatively considerable impact to public services and recreation?	Less than significant	None required	Less than significant
Transportation			
3.12-1 Would the project conflict a plan, ordinance or policy addressing the circulation system, including transit roadway, bicycle and pedestrian facilities?	Less than significant	None required	Less than significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.12-2 Would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Potentially significant	**TR-1:** The following Transportation Demand Measures (TDMs) shall be implemented to further reduce potential effects relative to vehicle miles traveled: • "E-Bike Share" - The project shall implement an electric bike share program to link to local Encinitas destinations and reduce motorized vehicle trips. The electric bike share program would provide for the availability of 10 electric bikes for the exclusive use of project residents to provide sustainable transportation as a substitute for individual vehicle ownership/use. In addition to the E-Bike program, high quality bike parking would be provided for project residents. • "Car share dedicated parking" - Two parking spaces west of the community recreation center shall be dedicated to accommodate car sharing opportunities. • "Transit Passes Subsidies" - NCTD Regional Transit passes shall be offered to the 20 on-site employees as an alternative to parking at the project site.	Significant and unavoidable
3.12-3 Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant	None required	Less than significant
3.12-4 Would the project result in inadequate emergency access?	Less than significant	None required	Less than significant
3.12-5 Would the project result in cumulative transportation impacts?	Potentially significant	Implement mitigation measure **TR-1**	Significant and unavoidable

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Tribal Cultural Resources			
3.13-1 Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Potentially significant	Implement mitigation measures **CR-1** to **CR-3**	Less than significant with mitigation incorporated
3.13-2 Would the project result in cumulative impacts related to tribal cultural resources?	Potentially significant	Implement mitigation measures **CR-1** to **CR-3**	Less than cumulatively considerable with mitigation incorporated

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Utilities and Service Systems			
3.14-1 Would the project require or result in the relocation or construction of new or expanded water or wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant	None required	Less than significant
3.14-2 Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than significant	None required	Less than significant
3.14-3 Would the project result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant	None required	Less than significant
3.14-4 Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant	None required	Less than significant
3.14-5 Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than significant	None required	Less than significant
3.14-6 Would the project result in a significant cumulative impact related to utilities and service systems?	Less than significant	None required	Less than significant

SUMMARY OF PROJECT ALTERNATIVES

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to a project that could feasibly attain the basic objectives of a project and avoid or lessen the environmental effects of a project. Further, CEQA Guidelines Section 15126.6(e) requires that a "no project" alternative be evaluated in an EIR as well as any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process. Section 5.0, Alternatives, of this EIR includes a detailed discussion and a qualitative analysis of alternatives that have been rejected by the City, as well as the following scenarios considered to be feasible alternatives to the project as proposed.

ALTERNATIVES TO THE PROPOSED PROJECT

Potential environmental impacts associated with three alternatives are compared below to assess impacts from the proposed project. The following alternatives have been identified for analysis in compliance with CEQA: Alternative 1: No Project; Alternative 2: Increased Intensity of Existing Agricultural Operations; and Alternative 3: VMT Reduction. Table ES-2, Comparison of Alternative Project Impacts to the Proposed Project, summarizes the potential impact of each alternative on the environmental resources evaluated in the EIR that require mitigation as compared to the proposed project.

Table ES-2 Comparison of Alternative Project Impacts to the Proposed Project

Topic	Alternative 1: No Project	Alternative 2: Increased Agricultural Operations	Alternative 3: VMT Reduction
Biological Resources	<	=	=
Cultural and Tribal Cultural Resources	<	=	=
Geology and Soils (Paleontological Resources)	<	=	=
Hazards and Hazardous Materials	>	>	=
Transportation1	=	=	=

Notes:

= Impact is equivalent to impact of proposed project (neither environmentally superior nor inferior).

< Impact is less than impact of proposed project (environmentally superior).

> Impact is greater than impact of proposed project (environmentally inferior).

1 Transportation impacts are based upon vehicle miles travelled (VMT), rather than Level of Service (LOS)/delay. Refer to Section 3.12.

Alternative 1: No Project

Description of Alternative

Under the No Project Alternative, the proposed project would not be adopted, and future development would not occur. As such, the existing agricultural operations would continue to occur on-site in the same capacity as existing conditions. The existing land uses would remain the same.

Alternative 1 Summary

Since the project site is largely void of biological resources, it is unlikely that this alternative would result in impacts to biological resources (e.g., potential to affect nesting avian species) by continuing the existing agricultural operations on-site. Impacts relative to cultural, tribal cultural, and paleontological resources (e.g., potential to inadvertently discover unknown resources) would be reduced as the project site would not be developed and existing operations would be maintained at their current capacity. This alternative would result in less transportation impacts as fewer daily vehicle trips would be generated by existing operations as compared to the proposed project. However, it is reasonable to conclude that the No Project Alternative VMT/employee would be similar to that of the proposed project. The continued use of the existing agriculture operations may lead to an increase in the transport, use, and/or disposal of hazardous materials on-site since heavy chemicals and compounds (e.g. pesticides, herbicides, diesel, gasoline) are generally required to support agriculture operations.

Implementation of the Alternative 1, No Project Alternative, would avoid the environmental impacts of the proposed project because no housing units or other amenities would be constructed. The baseline environmental conditions in the proposed project area would remain under the No Project Alternative. The No Project Alternative would not meet any of the basic project objectives.

Alternative 2: Increased Intensity of Existing Agricultural Operations

Description of Alternative

Under this alternative, development proposed by the project would not occur. However, in contrast to the "No Project" Alternative that would maintain existing operations, the Increased Intensity of Existing Agricultural Operations Alternative would increase the intensity of the agricultural operations on-site, such as constructing new greenhouses and accessory structures. The Encinitas Ranch Specific Plan Agricultural zoning allows for buildings up to 35 feet and may be increased up to 45 feet for up to 10% of the gross floor area. Under this Alternative, buildings on-site would be replaced and/or renovated in conformance with the Agricultural zoning

standards. This alternative would not include improvements for ingress/egress to accommodate traffic associated with the increased business intensity (e.g., deliveries, transport of goods, employee traffic) as the current operations is a by-right use. Furthermore, this alternative would not include the proposed improvements to the City's storm drain infrastructure that presently results in flooding along Sidonia Street during large storm events.

Alternative 2 Summary

It is anticipated that this alternative would decrease impacts relative to transportation as fewer daily vehicle trips would be generated by horticultural uses as compared to the proposed project. However, it is reasonable to conclude that the No Project Alternative VMT/employee would be similar to that of the proposed project. Further, the increased intensity of the site would result in additional truck trips (e.g., large delivery trucks, semi-trailers, and dump trucks) which may lead to temporary congestion on Quail Gardens Drive and surrounding intersections. Impacts relative to biological resources (e.g., potential to affect nesting avian species) and cultural resources (e.g., potential to inadvertently discover unknown resources) would be similar to the project as the development footprint of Alternative 2 would generally be the same in order to accommodate the expanded agricultural facilities and operations.

Although the increased intensity of the site is anticipated to increase ADT greater than existing conditions (334 ADT), it is unlikely that this alternative would generate greater ADT than the proposed project (1,690 ADT) since this alternative would not include residential housing on-site. As such, transportation impacts would be similar as compared to the proposed project. The increased intensity of the site may lead to an increase in the transport, use, and/or disposal of hazardous materials on-site since heavy chemicals and compounds (e.g. pesticides, herbicides, diesel, gasoline) are generally required to support agriculture operations; therefore, impacts relative to hazards and hazardous materials are considered to be greater as compared to the proposed project since the site would remain in its current state.

Alternative 3: VMT Reduction

Description of Alternative

The VMT Reduction Alternative focuses on reducing the number of daily vehicle trips through a combination of reduced parking and Transportation Demand Management (TDM) strategies in order to avoid or reduce significant and unavoidable impacts associated with VMT. This alternative would (1) provide the minimum number of residential parking spaces required under state density bonus law, and (2) implement unbundled parking, whereby parking spaces are not included in the cost of each residential unit; rather, residents would be required to pay for parking spaces.

Specifically, this alternative would provide 395 residential parking spaces (all of which would be in garages) and would charge renters $25/month for each space. The overall project design would remain largely unchanged, with the exception that approximately 86 residential surface parking spaces in the residential areas of the proposed project would be converted to landscaping or other green spaces. The parking area in the agricultural amenity area would be for visitors/users of that area exclusively and residential guests or residents would not be permitted to park in this area.

Alternative 3 Summary

Impacts relative to biological resources (e.g., potential to affect nesting avian species), cultural resources (e.g., potential to inadvertently discover unknown resources), and hazardous materials (e.g. excavation and disposal of the heavy-oil impacted soils) would be similar to the project because the development footprint of Alternative 3 would be the same as the proposed project (refer to Table 5-1, Comparison of Alternative Project Impacts to the Proposed Project). Although not considered a significant impact in the EIR, operational impacts to air quality would be similar but slightly reduced compared to the proposed project while construction air quality impacts would be the same as the proposed project. Specifically, mobile-source emissions may be reduced by up to 7.5% which represents the expected VMT reduction achieved with implementation of reduced parking and implementation of unbundled parking. Similarly, operational impacts to energy usage (i.e., petroleum usage) and greenhouse gases (mobile source emissions) would be slightly reduced compared to the proposed project.

Although Alternative 3 would reduce impacts related to VMT compared to the proposed project, impacts to VMT would remain significant and unavoidable (similar to the proposed project) because even with implementation of unbundled parking and limited parking supply, overall VMT would not reach the 15% reduction threshold. Furthermore, SANDAG specifically states that their "3A. Parking Pricing" TDM measure (7.5% VMT reduction) "works best in areas where on-street parking is managed (e.g., priced parking, residential permit programs, time limits, etc.) to reduce unintended consequences of parking in adjacent neighborhoods." As the project applicant cannot guarantee that this measure would also be in implemented in the adjacent neighborhood (Fox Point – Sidonia Street), a neighborhood parking management program (permit only parking) would be necessary in the adjacent neighborhood. Even with effective implementation of such policies, the impacts to VMT would remain significant and unavoidable, similar to the proposed project.